

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

COPY

THE CITY OF GALENA, JoDAVISS COUNTY,
ILLINOIS,

Petitioner,

v.

CHICAGO, CENTRAL & PACIFIC RAILROAD
COMPANY and THE BURLINGTON NORTHERN
and SANTA FE RAILWAY COMPANY,

Respondents.

Petition for approval of the acquisition of real estate in JoDaviess
County by exercising the power of eminent domain.

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Illinois Commerce Commission
RAIL SAFETY SECTION

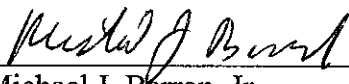
T02-0064

APPEARANCE AND STATEMENT OF POSITION

I, the undersigned, hereby enter my appearance as attorney for respondent, Chicago, Central & Pacific Railroad Company. On behalf of Chicago, Central & Pacific Railroad Company (CCP), I support the Motion of Burlington Northern and Santa Fe Railway Company to strike and dismiss the petition. CCP has not been served with a copy of the petition, nor has petitioner's counsel provided information regarding the petition to CCP, despite CCP's requests for information.

Dated at Chicago, Illinois
this 23rd day of July, 2002.

MICHAEL J. BARRON, JR.


Michael J. Barron, Jr.
Counsel for Chicago, Central & Pacific
Railroad Company
Canadian National/Illinois Central
455 North Cityfront Plaza Drive
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ARDC 6228809

DOCKETED

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ILLINOIS COMMERCE COMMISSION**

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NOTICE OF FILING

Mr. Philip F. Jensen
Hammer, Simon & Jensen
303 N. Bench Street
P.O. Box 270
Galena, IL 61036

Mr. Michael L. Sazdanoff
Kenneth J. Wysoglad & Associates
118 S. Clinton Street, Suite 700
Chicago, IL 60661

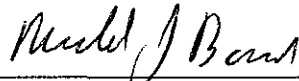
PLEASE TAKE NOTICE that we have this 23rd day of July, 2002, mailed for filing with the
Illinois Commerce Commission, Chicago, Central & Pacific Railroad Company's Appearance
and Statement of Position in the above-referenced matter, a copy of which is hereby served upon
you.

CHICAGO, CENTRAL & PACIFIC
RAILROAD COMPANY

By 
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CERTIFICATE OF SERVICE

I, MICHAEL J. BARRON, JR., an attorney, certify that on behalf of Chicago, Central & Pacific Railroad Company, I served the foregoing Appearance and Statement of Position of Chicago, Central & Pacific Railroad Company upon those made a party to this proceeding by enclosing copies of the foregoing in envelopes addressed to those parties as set forth below, postage prepaid, and depositing the envelopes in the United States Mail at 455 North Cityfront Plaza Drive, Chicago, Illinois on the 23rd day of July, 2002.



Michael J. Barron, Jr.

Service List :

Mr. Philip F. Jensen
Hammer, Simon & Jensen
303 N. Bench Street
P.O. Box 270
Galena, IL 61036

Mr. Michael L. Sazdanoff
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